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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/822,914 | 04/13/2004 | Ronald Malet | Malet-1 | 3573 |

7590

07/06/2005

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| EXAMINER |
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PAYER, HWEI SIU CHOU

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| ART UNIT | PAPER NUMBER |
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3724

DATE MAILED: 07/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/822,914

Applicant(s)

MALET, RONALD

Examiner

Hwei-Siu C. Payer

Art Unit

3724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

Detailed Acton

Claims Rejection - 35 U.S.C. 112, second paragraph

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1 and 5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

(1) In claim 1, line 9, "said at least one wire aperture" has no clear antecedent basis.

(2) In claim 5, line 1, "said plurality of wire apertures" lacks antecedent basis. It appears claim 5 should depend from claim 4.

Claims Rejection - 35 U.S.C. 112, first paragraph

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1 and 3 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to

one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The use of the term “tensioning bar” is misleading. Further, in the specification, lines 16-18 of page 5 are incorrect. Specifically, the bar 28 applies compression rather than tension to the blade 20 when the wing nuts 32 are tightened or loosened (see Fig.4). It appears the bar 21 should be called “compress” rather than “tensioning” bar.

Claims Rejection - 35 U.S.C. 102(b)

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 2 and 3 are rejected under 35 U.S.C. 102(b) as being anticipated by McClellan (U.S. Patent No. 6,018,873).

The use of the term “tensioning bar” is misleading (see the above rejection under 35 U.S.C. 112, first paragraph). For examining purpose, the claimed bar has been interpreted as a “compress bar”.

McClellan shows a wire stripper comprising a stripping block (10) including a front face (15a), a back face (15b) and a top face (13), the stripping block (10) having at least one wire aperture (16) that penetrates the stripping block (10) from the front face (15a) to the back face (15b), the stripping block (10) further including at least one blade

receiving slot (18) cut into its top face (13) which interacts with the wire aperture (16); and at least one blade (32) inserted into the at least one blade receiving slot (18) whereby the cutting edge (34,37) of the blade (32) entered into the wire aperture (16); and whereby at least one wire (see Fig.3) is inserted through the at least one wire aperture (16) and the insulation of the wire is stripped longitudinally as claimed. Further, element (38) is considered as a compress bar that exerts a compression force on the blade (32).

3. Claims 2 and 3 are rejected under 35 U.S.C. 102(b) as being anticipated by Bourbeau (U.S. Patent No. 5,561,903).

The use of the term "tensioning bar" is misleading (see the above rejection under 35 U.S.C. 112, first paragraph). For examining purpose, the claimed bar has been interpreted as a "compress bar".

Element (56) of Bourbeau's wire stripper is considered as a compress bar since it exerts a compression force on the blade (20) of the wire stripper.

4. Claims 2, 4 and 5 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Holder et al. (U.S. Patent No. 5,577,150) or Alexander (U.S. Patent No. 6,161,289).

Claims Rejection - 35 U.S.C. 103(a)

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 3724

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bianco, Jr. (U.S. Patent No. 4,463,494).

The use of the term "tensioning bar" is misleading (see the above rejection under 35 U.S.C. 112, first paragraph). For examining purpose, the claimed bar has been interpreted as a "compress bar".

The device of Bianco, Jr. shows all the claimed structure. Further, element (28) in Bianco, Jr. is considered as a compress bar since it exerts a compression force on the blade (20) as claimed. It is noted the device of Bianco, Jr., has a plurality of wire apertures (22,24). Although only one blade (20) is shown, it is obvious there is another blade extends into the aperture (24) for cutting a wire (25) that can be received in the aperture (24).

The mere difference between Bianco, Jr. and the claimed invention is that the compress force on each blade of Bianco, Jr. is exerted by a respective compress bar (28) while the claimed invention has one bar that exerts force on both blades.

However, the claimed limitation is not patentably distinct over Bianco, Jr., as long as a compress force is applied on the blades, whether it is applied by one common bar or two separate bars depends more upon the choice of the manufacturer than on any inventive concept.

Prior Art Citations

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Gienger, Grant, Clendenin, Slonksnes are cited as art of interest.

Point of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hwei-Siu C. Payer whose telephone number is 571-272-4511. The examiner can normally be reached on Monday through Friday, 7:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan N. Shoap can be reached on 571-272-4514. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for official communications and 571-273-4511 for proposed amendments.

H Payer
June 29, 2005



Hwei-Siu Payer
Primary Examiner